

386A.4-070 Effect of dissolution of a series.

- (1) A dissolved series continues its existence as a series, but may not carry on any activities except as is appropriate to wind up and liquidate its activities and affairs, including:
 - (a) Collecting the assets of or associated with the series;
 - (b) Disposing of the assets of or associated with the series that will not be distributed in kind to beneficial owners associated with the series or the statutory trust;
 - (c) Discharging or making provision for discharging the liabilities of or associated with the series or the assets of or associated therewith, including entering into new agreements with creditors having claims on assets of or associated with the series for the satisfaction thereof;
 - (d) Distributing the remaining property of or associated with the series in accordance with KRS 386A.4-110; and
 - (e) Doing every other act necessary to wind up and liquidate the series's activities and affairs.
- (2) Except as otherwise provided in the governing instrument, dissolution of a series shall not:
 - (a) Transfer title to the property of or associated with the series;
 - (b) Prevent transfer of a beneficial interest associated with a series;
 - (c) Subject its trustees associated with the series to standards of conduct different from those applicable prior to the dissolution; or
 - (d) Amend the governing instrument or terminate contribution obligations existing thereunder.
- (3) Dissolution of a series does not:
 - (a) Prevent the commencement of a proceeding by or against the series in the series's name;
 - (b) Abate or suspend a proceeding by or against the series pending on the effective date of dissolution;
 - (c) Transfer title to property of or associated with the series; or
 - (d) Terminate, as to the series, the authority of the registered agent of the statutory trust.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 81, sec. 28, effective July 12, 2012.